

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JASON ESTES

Petitioner,

-v-

WARDEN, Lebanon Correctional Institution

Respondent.

Case No. C-3:06-cv-119

**Judge Thomas M. Rose
Magistrate Judge Sharon L. Ovington**

**ENTRY AND ORDER OVERRULING ESTES' OBJECTIONS (Doc. #11)
TO THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS (Doc. #9) IN ITS ENTIRETY AND
TERMINATING THIS CASE**

This matter comes before the Court pursuant to pro se Petitioner Jason Estes' ("Estes") Objections to Magistrate Judge Sharon L. Ovington's Report and Recommendations. The Report and Recommendations were issued on March 17, 2009. (Doc. #20.) On April, 22, 2009, Estes filed objections. (Doc. #11.) The time has run and the Warden has not filed a response. Estes' Objections are, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Estes' objections to the Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations is adopted in its entirety.

Estes' Petition for a Writ of Habeas Corpus is DENIED and DISMISSED with prejudice. Further, because reasonable jurists would not disagree with this conclusion, Estes is denied a

certificate of appealability.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton. The Clerk is also hereby ordered to serve a copy of this Order on Petitioner Jason Estes at his last known address.

DONE and **ORDERED** in Dayton, Ohio, this Fourteenth day of May, 2009.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Jason Estes